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Date: February 8, 2002



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Ronald J. Schoenbaum, Reg. No. 38297

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Fraenkel, et al. ) Group Art Unit UNKNOWN  
)  
App. No. : 10/057,295 )  
)  
Filed : October 19, 2001 )  
)  
For : POST-DEPLOYMENT )  
MONITORING AND )  
ANALYSIS OF SERVER )  
PERFORMANCE )  
)  
Examiner : UNKNOWN )

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Enclosed is form PTO-1449 listing sixteen (16) references that are also enclosed. This Information Disclosure Statement is being filed before the receipt of a first Office Action on the merits, and presumably no fee is required in accordance with 37 C.F.R. § 1.97(b)(3). If a first Office Action on the merits was mailed before the mailing date of this Statement, the Commissioner is authorized to charge the fee set forth in 37 C.F.R. § 1.17(p) to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 2-8-02

By: Ronald J. Schoenbaum

Ronald J. Schoenbaum

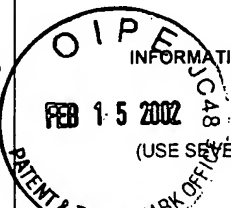
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FORM PTO-1449	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY. DOCKET NO. MERCURY.140A2	APPLICATION NO. 10/057,295
 <p>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</p> <p>(USE SEVERAL SHEETS IF NECESSARY)</p>		APPLICANTS Fraenkel, et al.	
		FILING DATE October 19, 2001	GROUP ART UNIT UNKNOWN

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE (IF APPROPRIATE)
	5,446,874	08/29/95	Waclawsky, et al.			
	5,544,310	08/06/96	Forman, et al.			
	5,742,754	04/21/98	Tse			
	5,781,703	07/14/98	Desai, et al.			
	5,787,254	07/28/98	Maddalozzo, Jr., et al.			
	5,812,780	09/22/98	Chen, et al.			
	5,864,662	01/26/99	Brownmiller, et al.			
	5,905,868	05/18/99	Baghai, et al.			
	6,006,260	12/21/99	Barrick, Jr., et al.			
	6,108,700	08/22/00	Maccabee, et al.			
	6,138,157	10/24/00	Welter, et al.			
	US 6,205,413 B1	03/20/01	Bisdikian, et al.			

## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO

EXAMINER INITIAL	OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.)
	V. Mainkar, "Availability Analysis of Transaction Processing Systems based on User-Perceived Performance," The 16 <sup>th</sup> Symposium on Reliable Distributed Systems, IEEE Computer Society, 1997, pp. 10-17.
	N. Randall, PC Magazine, "Web Site Analysis Tools The Results Are In," dated March 10, 1998, pages 189 – 210.
	Article by Patrick Killelea, dated January 15, 1999, titled "Web Performance Measuring Tools and Services," printed from Webreview.com site.
	LoadRunner Controller User's Guide – Windows Version 6.0, pages 1-49, 278-344, and 558, (dated 1999).

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EXAMINER	DATE CONSIDERED
<p>*EXAMINER: INITIAL IF CITATION CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP 609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED, INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.</p>	